

akerman

Rory J. McEvoy

Akerman LLP
666 Fifth Avenue
20th Floor
New York, NY 10103

D: 212 259 6480
T: 212 880 3800
F: 212 880 8965
DirF: 212 259 7195

August 6, 2019

VIA FAX

Honorable Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
Courtroom 218
White Plains, New York 10601

**Re: King v. Mount Sinai Health System
7:18 Civ. 12003 (NSR)**

SO ORDERED:

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dear Judge Román:

On behalf of our client, The Mount Sinai Health System, we write to seek the Court's guidance regarding the parties' Proposed Case Management Plan, filed with the Court on June 20, 2019, and, pursuant to my conversation yesterday with your Law Clerk. A copy of the Proposed Case Management Plan is attached for the Court's convenience. To date, it does not appear that the Proposed Case Management Plan was so ordered by the Court. As the Court is aware, the parties have a scheduled mediation session on August 19, 2019.

We request clarification as to whether (i) the parties should submit a modified Proposed Case Management Plan because some of the dates in the original Plan have passed; or (ii) the parties should await the outcome of the August 19th mediation before submitting a revised Plan.

Respectfully submitted,

Rory McEvoy /cto

Rory J. McEvoy

Encl.

cc: Kenlyn King, *pro se* (via ECF and FedEx)

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DATE FILED: 8/6/19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENLYN KING,

Plaintiff,

-against-

MOUNT SINAI HEALTH SYSTEM,

Defendant.

18 Civ. 12003 (NSR)

**CASE MANAGEMENT PLAN AND
SCHEDULING ORDER**

This Case Management Plan (the "Plan") is submitted by the parties in accordance with Fed. R. Civ. Pro. 16 and 26(f).

1. All parties [consent] [**do not consent**] to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case [is] [**is not**] to be tried to a jury.
3. Joinder of additional parties must be accomplished by **July 22, 2019**.
4. Amended pleadings may be filed until **July 22, 2019**.
5. Interrogatories shall be served no later than **July 31, 2019**, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 [**shall**] [shall not] apply to this case.
6. First request for production of documents, if any, shall be served no later than **July 31, 2019**.
7. Non-expert depositions shall be completed by **September 20, 2019**.
 - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders,

non-party depositions shall follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than **October 15, 2019**.
9. Requests to Admit, if any, shall be served no later than **October 30, 2019**.
10. Expert reports shall be served no later than N/A.
11. Rebuttal expert reports shall be served no later than N/A.
12. Expert depositions shall be completed by N/A.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY October 31, 2019.**
15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. **Lisa M. Smith**.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for N/A, at N/A. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated:

White Plains, New York

Nelson S. Román, U.S. District Judge

AKERMAN LLP
Rory J. McEvoy
Brittany A. Buccellato
Attorneys for Defendants
666 Fifth Avenue
New York, New York 10103
(212) 880-3800

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENLYN KING,

Plaintiff,

18 Civ. 12003 (NSR) (LMS)

-against-

AFFIDAVIT OF SERVICE

MOUNT SINAI HEALTH SYSTEM,

Defendant.

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Casey Doyle, being duly sworn, deposes and says that she is over the age of eighteen; is not a party to this action; and that on the 6th day of August, 2019, she caused a true and correct copy of the foregoing LETTER TO COURT to be served upon:

Ms. Kenlyn King
5 Little Avenue
P.O. Box 2430
Middleton, New York 10940

by First Class Mail.


Casey Doyle

Sworn to before me this
6th day of August, 2019


Notary Public

NOREEN DONOVAN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01DO5038135
QUALIFIED IN PUTNAM COUNTY
COMMISSION EXPIRES FEBRUARY 13, 2023



akerman
LLP

Casey Doyle
Paralegal , Labor & Employment

Akerman LLP
666 Fifth Avenue
20th Floor
New York, NY 10103

D: 212 259 6442
T: 212 880 3800
F: 212 880 8965

casey.doyle@akerman.com

Fax

Date: August 6, 2019

To: Honorable Nelson S. Román
United States District Court
300 Quarropas Street
White Plains, New York 10601

Telephone:

Fax: 914.390.4179

Company:

Subject: **King v. Mount Sinai Health System**
18 Civ. 12003 (NSR) (LMS)

of Pages: 4

Please call (212) 880-3800 if you do not receive all the pages.

Dear Judge Román:

Pursuant to the Court's Individual Rules of Practice, enclosed please find correspondence to the court and the attachments thereto, also filed via ECF today.

Respectfully submitted,

Casey Doyle
Paralegal

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